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3763

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No. 11738.00038)

In the Application of:

Hartlaub et al.

Serial No. 10/005,789

Filed: November 8, 2001

For: INFUSION SYSTEMS FOR CREATING
MICROENVIRONMENTS IN A LIVING
BODY

Group Art Unit: 3763

Examiner: Kathryn L. Thompson

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TECHNOLOGY CENTER R3700

INFORMATION DISCLOSURE STATEMENT

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Pursuant to 37 C.F.R. §§ 1.97 and 1.98, the Applicants wish to make the following references of record in the above-identified application and state that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. This Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. 1.56. Copies of the references cited below are enclosed. The references are also listed on the enclosed and completed PTO Form 1449.

This Information Disclosure Statement is being filed after receipt of a First Office Action. Accordingly, a fee of \$180.00 is required. The Commissioner is authorized to charge our Deposit Account No. 19-0733.

10/31/2003 SSITH181 00000102 190733 10005789
01 FC:1806 180.00 DA

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2. Kühl et al., U.S. Patent No. 4,140,122, issued February 20, 1979;
3. Brown et al., U.S. Patent No. 4,952,406, issued August 28, 1990;
4. Aebischer et al., U.S. Patent No. 5,011,472, issued April 30, 1991;
5. Currie et al., U.S. Patent No. 5,366,454, issued November 22, 1994;
6. Seckel, U.S. Patent No. 5,584,885, issued December 17, 1996;
7. Hadden, U.S. Patent No. 5,632,983, issued May 27, 1997;
8. Rise, U.S. Patent No. 5,643,207, issued July 1, 1997;
9. Elsberry et al., U.S. Patent No. 5,711,316, issued January 27, 1998;
10. Kmiec, U.S. Patent No. 5,731,181, issued March 24, 1998;
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13. Otto, U.S. Patent No. 5,769,823, issued June 23, 1998;
14. Kmiec, U.S. Patent No. 5,795,972, issued August 18, 1998;
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16. Elsberry et al., U.S. Patent No. 5,832,932, issued November 10, 1998;
17. Weiss et al., U.S. Patent No. 5,980,885, issued November 9, 1999;
18. Kumar et al. U.S. Patent No. 6,004,804, issued December 21, 1999;
19. Kmiec et al., U.S. Patent No. 6,010,907, issued January 4, 2000;
20. Elsberry, U.S. Patent No. 6,042,579, issued March 28, 2000;
21. Elsberry, U.S. Patent No. 6,093,180, issued July 25, 2000;
22. Soykan et al., U.S. Patent No. 6,151,525 issued November 21, 2000; and
23. Soykan et al., U.S. Patent No. 6,206,914 issued March 27, 2001.

Foreign Patents

1. Elsberry et al., PCT Publication No. WO 97/40874, issued November 6, 1997;
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3. Stokes et al., PCT Publication No. WO 98/02150, issued January 22, 1998;
4. Haynes et al., PCT Publication No. WO 98/15615, issued April 16, 1998;
5. Elsberry et al., PCT Publication No. WO 98/48723, issued November 5, 1998.

Other References

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- 1 Metzler, M., Helgason, C., Dragatsis, I., Zhang, T., Gan, L., Pineult, N., Zeitlin, S., Humphries, R., and Hayden, M., "Huntington is required for normal hematopoiesis," *Hum. Mol. Genet.* 9: 387-94 (2000)
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Respectfully submitted,

BANNER & WITCOFF, LTD

Dated: October 27, 2003

By:



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By: _____

Application of: Hartlaub

Application No.: 10/005,789

Filing Date: November 8, 2001

Title: Infusion System for Creating Microenvironments in a Living Body

Transmitted herewith are the following documents:

- ☒ Fee Transmittal Form (1 page) in duplicate
- ☒ Transmittal Form (1 page) in duplicate
- ☒ Information Disclosure Statement (5 pages)
- ☒ PTO SB/08A (2 pages) with cited references attached
- ☒ Return Postcard

Attorney Case No.: 11738.00038



PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/005,789
	Filing Date	November 8, 2001
	First Named Inventor	Hartlaub
	Art Unit	3763
	Examiner Name	Kathryn L. Thompson
Total Number of Pages in This Submission	Attorney Docket Number	11738.00038

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Remarks		Being filed via Express Mail No.: EL941345632US
The Commissioner is hereby authorized to charge any deficiencies in payment or credit any overpayment to our Deposit Account 19-0733.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Scott A. Burow
Signature	
Date	October 27, 2003

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FEE TRANSMITTAL
for FY 2004

OCT 27 2003
Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180

Complete If Known

Application Number	10/005,789
Filing Date	November 8, 2001
First Named Inventor	Hartlaub
Examiner Name	Kathryn L. Thompson
Art Unit	3763
Attorney Docket No.	11738.00038

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METHOD OF PAYMENT (check all that apply)

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FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1001	770	2001 385 Utility filing fee	
		1002	340	2002 170 Design filing fee	
		1003	530	2003 265 Plant filing fee	
		1004	770	2004 385 Reissue filing fee	
		1005	160	2005 80 Provisional filing fee	
SUBTOTAL (1)					(\$ 0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims: ** = Extra Claims X Fee from below = Fee Paid

Independent Claims: ** = Extra Claims X Fee from below = Fee Paid

Multiple Dependent: X Fee from below = Fee Paid

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1202	18	2202 9 Claims in excess of 20	
		1201	86	2201 43 Independent claims in excess of 3	
		1203	290	2203 145 Multiple dependent claim, if not paid	
		1204	86	2204 43 ** Reissue independent claims over original patent	
		1205	18	2205 9 ** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$ 0)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1051	130	2051 65 Surcharge - late filing fee or oath	
		1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet.	
		1053	130	1053 130 Non-English specification	
		1812	2,520	1812 2,520 For filing a request for reexamination	
		1804	920*	1804 920* Requesting publication of SIR prior to Examiner action	
		1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action	
		1251	110	2251 55 Extension for reply within first month	
		1252	420	2252 210 Extension for reply within second month	
		1253	950	2253 475 Extension for reply within third month	
		1254	1,480	2254 740 Extension for reply within fourth month	
		1255	2,010	2255 1,005 Extension for reply within fifth month	
		1401	330	2401 165 Notice of Appeal	
		1402	330	2402 165 Filing a brief in support of an appeal	
		1403	290	2403 145 Request for oral hearing	
		1451	1,510	1451 1,510 Petition to institute a public use proceeding	
		1452	110	2452 55 Petition to revive - unavoidable	
		1453	1,330	2453 665 Petition to revive - unintentional	
		1501	1,330	2501 665 Utility issue fee (or reissue)	
		1502	480	2502 240 Design issue fee	
		1503	640	2503 320 Plant issue fee	
		1460	130	1460 130 Petitions to the Commissioner	
		1807	50	1807 50 Processing fee under 37 CFR 1.17 (q)	
		1806	180	1806 180 Submission of Information Disclosure Stmt	180
		8021	40	8021 40 Recording each patent assignment per property (times number of properties)	
		1809	770	2809 385 Filing a submission after final rejection (37 CFR § 1.129(a))	
		1810	770	2810 385 For each additional invention to be examined (37 CFR § 1.129(b))	
		1801	770	2801 385 Request for Continued Examination (RCE)	
		1802	900	1802 900 Request for expedited examination of a design application	
Other fee (specify) _____					
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3)					(\$ 180)

SUBMITTED BY

Name (Print/Type)	Scott A. Burrow	Registration No. (Attorney/Agent)	42,373	Telephone	312-463-5000
Signature	Scott Burrow	Date	October 27, 2003		

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